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**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO  
THE BOARD OF PATENT APPEALS AND INTERFERENCES (Large Entity)**

Docket No.  
**JP919990270US1**

In Re Application Of: **Tetsuo Shibuya**

**(14043)**

Application No.

09/737,199

Filing Date

December 14, 2000

Examiner

Cheyne D. Ly

Customer No.

23389

Group Art Unit

1631

Confirmation No.

9159

Invention: **A METHOD FOR CHANGING A TARGET ARRAY, A METHOD FOR ANALYZING  
A STRUCTURE, AND AN APPARATUS, A STORAGE MEDIUM AND A TRANSMISSION  
MEDIUM THEREFOR**

**COMMISSIONER FOR PATENTS:**

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner dated **September 15, 2004** finally rejecting Claim(s) **2 and 12**

The fee for this Notice of Appeal is: **\$500.00**

- ☐ A check in the amount of the fee is enclosed.
- ☐ The Director has already been authorized to charge fees in this application to a Deposit Account.
- ☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. **50-0510/IBM**
- ☐ Payment by credit card. Form PTO-2038 is attached.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

  
Signature

Dated: **December 14, 2004**

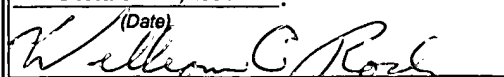
**William C. Roch**  
Registration No. 24,972

**SCULLY, SCOTT, MURPHY & PRESSER**

12/24/2004 FXTEN11 00000011 500510 09737150

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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on **December 14, 2004**.

(Date)  
  
Signature of Person Mailing Correspondence

**William C. Roch**

Typed or Printed Name of Person Mailing Correspondence

cc: